

Message Text

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47

ACTION AF-06

INFO OCT-01 ISO-00 SCS-03 SCA-01 L-02 H-02 CIAE-00 INR-07

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R 080450Z MAR 75

FM AMEMBASSY TANANARIVE

TO SECSTATE WASHDC 7003

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E.O. 11652: N/A

TAGS: CASC, MA (REPPAS, GEORGE S)

SUBJECT: REQUEST FOR LIBERTE CONDITIONNELLE FOR REPPAS

1. REPPAS' LAWYER LEBEL MET WITH VICE CONSUL MARCH 6 AND GAVE HIM COPY OF REQUEST FOR LIBERTE CONDITIONNELLE (LC) THAT LEBEL HAD FILED SAME DAY. LC REQUEST IS NORMALLY SENT BY PRISONER TO PROCUREUR GENERAL OF COURT OF APPEALS (NOW ROGER ANDRIAMISEZA) BUT BECAUSE OF LANGUAGE PROBLEM LEBEL PREPARED ON BEHALF REPPAS. PROCUREUR GENERAL RENDERS HIS OPINION AFTER CONSULTING WITH GUARDIAN CHIEF AT PRISON CONCERNING PRISONER'S BEHAVIOR.

2. LEBEL SAID HE EXPECTS DECISION BETWEEN 1 APRIL AND 30 APRIL. IF DECISION FAVORABLE IT WOULD BECOME EFFECTIVE 1 MAY. LC DOES NOT GIVE REPPAS RIGHT TO LEAVE COUNTRY. SECOND DECISION BY MINISTRY OF INTERIOR WOULD BE NECESSARY FOR REPPAS TO LEAVE MADAGASCAR. LEBEL SAID LC IS USUALLY AUTOMATIC IN MADAGASCAR WHEN HALF TERM SERVED -- IF THERE ARE NO POLITICAL CONSIDERATIONS. LEBEL SAID IN VIEW OF LATTER HE IS UNCERTAIN OF OUTCOME OF LC REQUEST FOR REPPAS.

3. LEBEL SUGGESTED THAT EMBASSY TAKE NO ACTION UNTIL FIRST WEEK IN APRIL BUT THEN EMBASSY SHOULD APPROACH MINISTER OF JUSTICE THROUGH MOFA. LEBEL OFFERED TO

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ACCOMPANY EMBASSY OFFICER ON CALL UPON MINJUSTICE.

4. DCM RAISED REPPAS CASE MARCH 6 WITH DIRECTOR BILATERAL RELATIONS RATSIMANDRESY AT MOFA WHO SAID THAT REQUEST FOR LC COMES AT AWKWARD TIME FOR GOMR IN VIEW OF ITS PREOCCUPATION WITH INTERNAL POLITICAL AND SECURITY SITUATION. WHEN INFORMED OF SUPREME COURT APPEAL REJECTION, WHICH HE HAD NOT HEARD ABOUT, HE COMMENTED FRANKLY THAT COURT WAS PROBABLY AFRAID TO DO ANYTHING ELSE UNDER PRESENT CIRCUMSTANCES.

5. EMBASSY COMMENT: EMBASSY INCLINED FOLLOW LEBEL'S ADVICE BUT WILL BE TAKING FURTHER SOUNDINGS BEFORE REACHING FINAL DECISION ON HOW TO PROCEED AND WITH WHOM. IN ANY CASE EMBASSY'S INCLINATION IS TO MOVE STEP BY STEP, THAT IS CONCENTRATE ON LC BEFORE DEALING WITH QUESTION OF REPPAS LEAVING COUNTRY.
MENDENHALL

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